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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/713,098 | 11/17/2003 | Stefan Irmisch | 245446US6 | 9789 |
| 22850 | 7590 | 11/23/2005 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | LE, HUNG CHARLIE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3725 | |

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TWN

| | | |
|------------------------------|-----------------|----------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/713,098 | IRMISCH ET AL. |
| | Examiner | Art Unit |
| | Hung C. Le | 3725 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 - 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 - 6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09/16/2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wormley et al. (5,193,314).

With respect to Claim 1:

Wormley et al. discloses: A process for producing a turbine blade or vane

(46) having a longitudinal axis (Y-axis), comprising the steps of:

producing the turbine blade or vane (46), in a casting mold (44),

finishing the turbine blade or vane (46) by fixing the casting (44) in a first position;

subjecting the casting (44) in said first position to an automatic material-removing machining process being program-controlled with respect to said first position, wherein a leading-edge angle of the turbine blade or

vane (46) which is altered in order to optimize the turbine is achieved by rotating, prior to said material-removing machining process, the casting (44) around said longitudinal axis (Y-axis) from said first position to a second position, and subjecting said casting (44) in said second position to said automatic material-removing machining process being program-controlled with respect to said first position, while retaining the same casting mold (44). (See Col. 5, Line 49 to Col. 6, Line 13 and Figs. 5 & 8)

With respect to Claim 2:

Wormley et al. further discloses: holding the casting (44) in a holder (48 & 60) during the machining, and rotating the casting (44) in the holder (48 & 60) for the purpose of changing the machining, with the reference points required for the machining being repositioned. (See Figs. 5 & 8)

With respect to Claim 3:

Wormley et al. further discloses: holding the casting (44) in a holder (48 & 60) during the machining, and rotating the casting (44) together with the holder (48 & 60) for the purpose of changing the machining, the correct calculated distances being used to reach the desired position. (See Figs. 5 & 8)

With respect to Claim 4:

Wormley et al. further discloses: providing an additional machining stock on the casting (44) for the material-removing machining, and selecting the thickness of the additional machining stock to be sufficiently above a minimum value for it to be possible for a turbine blade or vane (46) which has leading-edge angle which can be selected freely within a predetermined range of angles to be produced be machining from the same casting (44). (See Figs. 5 & 8)

With respect to Claim 5:

Wormley et al. further discloses: the casting (44) for the turbine blade or vane (46) has a blade or vane platform and a main blade or vane part and the process further comprises the step of providing the additional machining stock above the minimum value on the blade or vane platform (See Figs. 5 & 8).

With respect to Claim 6:

Wormley et al. further discloses: the minimum value for the additional machining stock is approximately 2 mm, and the additional machining stock above the minimum value amount to a total of about 5 mm. (See Col. 5, Line 49 to Col. 6, Line 13 and Figs. 5 & 8)

Response to Arguments

1) Applicant's arguments, see Remarks/Arguments, filed 09/16/2005, with respect to Specification have been fully considered and are persuasive.

The objects of Specification has been withdrawn.

2) Applicant's arguments, see Remarks/Arguments, filed 09/16/2005, with respect to Drawings have been fully considered and are persuasive.

The objections of Drawings has been withdrawn.

3) Applicant's arguments, see Remarks/Arguments, filed 09/16/2005, with respect to the rejection(s) of claim(s) 1 - 6 under Anderson et al.

(6,435,256) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Wormley et al. (5,193,314).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung C. Le whose telephone number is 571-272-8757. The examiner can normally be reached on M-F: 08:00am - 05:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HCL
11/15/2005



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700